

Remarks/Arguments

The Examiner is thanked for the careful review of this Application. Applicant's representative also thanks the Examiner for taking time to discuss the application. Examiner has noted that claims 35-41 would be patentable if rewritten to include the features of claim 34. As amended, claim 35 includes the features of claim 34 and claim 34 has been canceled. Claims 1, 3, 8, 9, 11, 12, 14-16, 19, 23, 25, 35-50 are pending after entry of the present Amendment.

Rejections under 35 U.S.C. § 102:

The Office has rejected claims 1, 3, 8, 9, 11, 12, 14-16, 19, 23, 25, 35-50 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,615,264 to Stoltz et al. (Stoltz). For at least the followings reasons, Stoltz fails to disclose each and every feature of the claimed invention, as defined in independent claims 1, 12, 23 and 35.

The cited portions of Stoltz fail to teach each and every feature of Applicants' claimed invention. The Examiner fails to point out anything in Stoltz that can be considered analogous to Applicants', "said authenticated token incorporating a user identity and having a different content from said first token;" However, in addition to the missing element not found in Stoltz, Applicants respectfully contend that Stoltz also fails to teach other aspects of Applicants' claimed invention.

For example, Applicants claim converting a first token of one or more tokens assigned to a user to an authenticated token. Examiner cited Stoltz (Col. 3, lines 12-17) as being analogous to the previously mentioned portion of Applicants' claimed invention. The cited portion of Stoltz explains the use of an authentication manager in conjunction with authentication modules. While the authentication modules may be configured to authenticate a user based on different authentication mechanisms, the authentication

manager is used to validate the user based on input from an authentication module.

Clearly, there is nothing in this cited portion regarding the conversion of a first token to an authenticated token. The Examiner also cites Column 7, Lines 61-65 of Stoltz as analogous to the claimed converting of a first token to an authenticated token. However, this portion of Stoltz is also concerned with different types of authentication modules accepting different authentication mechanism. Again, there is nothing in the cited portions of Stoltz regarding converting one of the authentication mechanisms into an authenticated token.

The next portion of Stoltz cited by the Examiner, Column 9, Lines 18-40, can be examined in smaller pieces. In Column 9, Lines 18-26, Stoltz is again discussing authentication mechanisms that can be accepted by authentication modules. In Column 9, Lines 27-34, Stoltz further elaborates on the exchange of a challenge question from an authentication module and a challenge response based on a personal identification number (PIN). In Column 9, Lines 35-40, Stoltz discloses that the authentication module can verify the challenge response and if a user is authenticated, the user will be given access to a session. Nowhere in any of the cited portions of Column 9, Lines 18-40 is a first token converted into an authenticated token. If the Examiner contends that the smart card is the first token, and the PIN is the authenticated token, note that the smart card contains a user's identification and a secret code that is transmitted to the network terminal (Column 8, Lines 11-14). Thus, Stoltz fails to teach an authenticated token (PIN) incorporating a user identity and having a different content from the first token (smart card) because the PIN is stored on the smart card.

Column 10, Lines 30-35, are the last portions of Stoltz alleged to teach the claimed conversion of a first token to an authenticated token. However, in the cited lines Stoltz teaches a session starting after the authentication module receives an expected result from the user and the authentication module notifies the authentication manager. Again, there is

no mention of converting a first token into an authenticated token. The only thing being authenticated in the entirety of the cited portions of Stoltz, is some form of authentication mechanism that may be viewed as analogous to the claimed first token. Furthermore, with Stoltz, the authentication mechanism is never converted to an authenticated token incorporating a user identity and having different content from said first token.

Another difference between Stoltz and Applicants' claimed invention is that with Stoltz, once the authentication mechanism is confirmed, a session is made available to a user (Column 10, Lines 30-36). Thus, using the teaching of Stoltz, after the presentation of a first token and possibly the confirmation of a PIN or secret code, a session is made available to a user. As claimed, a user would need to present a first token that would be converted into an authenticated token and it is the *authenticated* token must be presented to access a session from a terminal. Thus, using the claimed invention after the first token is converted to an authenticated token, the authenticated token must be presented to a terminal before a session is opened.

Request to Remove Stoltz as a Reference:

As noted above, the cited portions of Stoltz fail to teach each and every element of the independent claims. Stoltz is 35 USC §102(e) art, but only as 102(e)/103(c). At best, Stoltz can only be cited as art under a 35 USC § 103. Stoltz was assigned to Sun Microsystems, the same assignee of the present application. Consequently, under 35 USC § 103(c), Stoltz cannot be applied as a reference under 35 USC § 103(c).

Accordingly, the claims 1, 3, 8, 9, 11, 12, 14-16, 19, 23, 25, and 42-50 are submitted to be patentable over the cited art of record. The Applicants therefore respectfully request that a notice of allowance be issued for the claims. If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6911. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. SUNMP601). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,

MARTINE PENILLA & GENCARELLA, LLP



Konrad Chan

Reg. No. 57,857

710 Lakeway Drive, Suite 200
Sunnyvale, CA 94085
Telephone (408) 774-6911
Facsimile (408) 749-6901
Customer No. 32291